Serial No. 10/764,533

## REMARKS

In accordance with the foregoing, claim 9 has been amended. Claim 1-9 are pending and under consideration.

The sole issue remaining in this application is a rejection of claim 9 under 35 USC § 101, as being directed to non-statutory subject matter. Claim 9 has been amended in accordance with the Examiner's suggestion, to recite a computer readable medium. With the claim change, it is submitted that clam 9 is directed to statutory subject matter and the rejection should be withdrawn.

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date

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